

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

RUSSELL, et al,
Plaintiffs

v.

HARRIS COUNTY, TEXAS, et al,
Defendants

[]
[]
[]
[]
[]
[]

No. 4:19-cv-00226

Hon. Lee H. Rosenthal

U.S. District Judge

**REPORT OF SHERIFF ED GONZALEZ JANUARY 12, 2021
AND REQUEST FOR EMERGENCY HEARING**

The Sheriff previously reported the jail population was steadily growing. The total population now exceeds 9,000 inmates in custody. The jail is bursting at the seams.

Something must be done to reduce the population. Many of the inmates—pre-trial misdemeanors, state jail felonies without holds, other non-violent charges—ought to be subject to release, but releases have been slow in coming, if they come at all. The Sheriff yesterday exhorted the district court judges, the District Attorney, the Public Defender’s Office, and others to help figure out a way to free up some beds in the jail. To facilitate the process, HCSO is making lists for each court of state jail felonies and third-degree non-violent felonies which may be subject to release.

In the past, this Court has helped push the parties to work together to reduce the jail population. The Sheriff believes it is time for the Court to do so again. The fact the Sheriff has not been reporting regularly has, perhaps, permitted us all to believe the problem is under control. It is not.

COVID persists in the jail. Six inmates and two HCSO staff members have died from the virus. While the current number of inmates and staff testing positive is currently relatively small, new inmates who test positive have no place to quarantine because the surveillance tank is full and the general population is gridlocked. Moreover, the HCSO is seeing an increase in staff absences due to COVID, and with the increased jail population it is increasingly difficult to comply with mandatory staffing ratios per the Texas Commission on Jail Standards.

The Sheriff asks that the Court set a status conference with all interested parties. We could use some help.

Respectfully submitted.

/s/ Murray Fogler

Murray Fogler

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ATTORNEYS FOR SHERIFF ED GONZALEZ

CERTIFICATE OF SERVICE

I certify that on January 12, 2021, a copy of this document was served on counsel of record via electronic filing in accordance with the USDC Southern District of Texas Procedures for Electronic Filing.

/s/ Murray Fogler
Murray Fogler